

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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Trustees of the Local 813 I.B.T. Insurance Trust :  
Fund, et al., :

Plaintiffs, :

-against- :

Tiffany Carting Corp., :

Defendant. :  
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**ORDER**

05-CV-5628 (DLI)(JO)

**DORA L. IRIZARRY, U.S. District Judge:**

It appearing that no timely objections have been filed to the Report and Recommendation of the Honorable James Orenstein, U.S.M.J., dated May 16, 2006; and

Upon consideration, the Report and Recommendation is hereby adopted in full. Accordingly, it is hereby

ORDERED that the instant action is dismissed with prejudice and without costs to any party, but with leave to re-open if the settlement agreement the parties have agreed upon is not consummated and application for reinstatement is made within 60 days of this Order; and it is further

ORDERED that service of a copy of this Order shall be made by the Clerk of this Court by forwarding a copy hereof to all parties. The Clerk of the Court is further directed to close this case.

DATED: Brooklyn, New York  
June 7, 2006

\_\_\_\_\_/s/\_\_\_\_\_  
DORA L. IRIZARRY  
United States District Judge